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U.S. DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA

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U.S. DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
MONROE DIVISION**

BETTY ROBINSON, ET AL.

CIVIL ACTION NO. 06-0005

VERSUS

JUDGE ROBERT G. JAMES

CHEETAH TRANSPORTATION, ET AL.

MAG. JUDGE KAREN L. HAYES

MEMORANDUM ORDER

On February 27, 2006, Magistrate Judge Karen L. Hayes issued a Ruling [Doc. No. 26], which denied Plaintiffs' Motion to Remand [Doc. No. 17].

Pending before the Court is Plaintiffs' appeal of Magistrate Judge Hayes' Ruling [Doc. No. 30].

The Fifth Circuit has not addressed what standard of review should be applied to a district court's review of a magistrate judge's ruling on a motion to remand. However, district courts in this circuit have generally found that a motion to remand is a non-dispositive pretrial matter and have applied the clearly erroneous/contrary to law standard of review pursuant to 28 U.S.C. § 636(b)(1)(A) and Fed. R. Civ. P. 72(a). *See, e.g., Lonkowski v. R.J. Reynolds Tobacco Co.*, No. Civ. A. 96-1192, 1996 WL 888182, at *2-4 (W.D. La. Dec. 10, 1996); *Vaquillas Ranch Co., Ltd. v. Texaco Exploration and Prod., Inc.*, 844 F. Supp. 1156, 1162 (S.D. Tex. 1994); *Bethay v. Ford Motor Co.*, No. Civ. A. 99-0367, 1999 WL 496488, at *1 (E.D. La. July 13, 1999). This Court has similarly adhered to the view that motions to remand are non-dispositive pretrial matters.

Having conducted a review of the entire record, the Court finds that, under the facts and circumstances of this case, Magistrate Judge Hayes' Ruling was not clearly erroneous nor

contrary to law. Plaintiffs' appeal is DENIED, and Magistrate Judge Hayes' Ruling is
AFFIRMED.

MONROE, LOUISIANA, this 17 day of May, 2006.

A handwritten signature in black ink, appearing to read "Robert G. James", written over a horizontal line.

ROBERT G. JAMES
UNITED STATES DISTRICT JUDGE